

March  
2002

# Today's Speak Easy

## Liquor Control Board

### Notice of Proposed Rule Changes

The Liquor Control Board is proposing to change several rules, and we would like your input. You may attend one of the public hearings listed below, or forward your comments to the Board by **March 27, 2002**.

**By mail:** Rules Coordinator  
Liquor Control Board  
PO Box 43080  
Olympia WA 98504-3080  
**By e-mail:** [rules@liq.wa.gov](mailto:rules@liq.wa.gov)  
**By fax:** 360-704-4921

#### Public hearings:

**Seattle—March 14, 2002 9 a.m.**

Liquor Control Board Distribution Center, 4401 E Marginal Way S

**Spokane—March 15, 2002 9:30 a.m.**

Shilo Inn, Sacheen Room  
E 923 Third Avenue

**Olympia—March 20, 2002 10 a.m.**

Washington State Liquor Control Board, Board Room  
3000 Pacific Ave SE

#### What Changes are Being Considered?

Following is a summary of the proposed rules. **You can get the full text of the proposed rules on our web site at [www.liq.wa.gov](http://www.liq.wa.gov). To have a copy faxed, mailed, or e-mailed to you,** please contact Teresa Berntsen, Rules Coordinator, at 360-664-1648 or by e-mail at [rules@liq.wa.gov](mailto:rules@liq.wa.gov).

- 1. In-House Compliance Checks:** The Liquor Control Board is proposing new rules to implement a law passed during the 2001 Legislative Session that allows retail liquor licensees to conduct “in-house controlled purchase programs.” The purpose of an in-house controlled purchase program is for liquor licensees to evaluate their employee training on the sale of alcohol to minors by hiring eighteen, nineteen, or twenty year olds to attempt to purchase alcohol beverages. The proposed rules set up approval guidelines and standards for controlled purchase programs.

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**2. Minors in Restaurants and Clubs:** These proposed changes to existing rules would clarify where and when persons under 21 are allowed in restaurants and clubs. Some of the proposed new language would put current Liquor Control Board policy into rule form. Following is a summary of the proposed rules:

A Add language to an existing rule to put into rule from two Liquor Control Board policies about minors in restaurants and clubs:

A current policy which states that if a licensee wishes to have live entertainment in the dining area after 10 p.m., the licensee must either:

- ▶ Request board approval to reclassify the dining area to a lounge, thus restricting persons under twenty-one years of age after 10 p.m.; or
- ▶ Notify the Board's Licensing Division in writing at least 48 hours in advance that they will discontinue liquor service in the dining area after 10 p.m. in order to allow minors to stay in that area of the premises.

A current policy which states that after 10 p.m., restaurants with game rooms must either:

- ▶ Discontinue liquor service in the game room in order to continue to allow persons under twenty-one years of age in the game room after 10 p.m.; or
- ▶ Restrict the game room from persons under twenty-one years of age in order to continue liquor service in the game room after 10 p.m.

B Add language to define service bars, food counters, liquor bars, and game rooms. There are two reasons to define these terms: 1) Service bars and food counters are allowed in dining areas where minors are permitted, while liquor bars are only allowed in lounges; and 2) By law, the fee for a spirits, beer, and wine restaurant license is based on a businesses' percentage of dedicated dining area, thus we need to define what qualifies as dedicated dining area.

C Amend an existing rule to state that spirits, beer, and wine restaurants must serve at least four complete meals during the times listed in the rule. The current rule causes confusion because it requires these licensees to serve at least five complete meals as defined in the rule, but states that one of the meals can be a sandwich or deep fried item—thus essentially requiring four complete meals.

**3. General requirements for liquor licensees:** In March of 2001, the Liquor Control Board consolidated and revised rules that outline general requirements for liquor licensees. We are now considering several changes to this chapter of rules:

A Amend a rule to state that a valid drivers license issued by a territory of the United States is an acceptable form of identification to verify a person's age for alcohol sales. Currently the rule indicates that a drivers license from any state or from any province of Canada is acceptable, which does not cover U.S. territories such as Guam and Puerto Rico.

B Amend a rule to clarify that punched drivers licenses are acceptable for age verification purposes, so long as the punch isn't through an identifying piece of information on the ID.

C Amend a rule to clarify what business records licensees must have available for inspection if requested by the Liquor Control Board: 1) Records of business-related services sold or purchased (currently the rule states that records of business-related goods purchased must be available for inspection, but does not mention services); and 2) records related to the true party or parties of interest in the liquor license.

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D Several other technical changes throughout the chapter of rules that are needed for clarification.

If you have questions, please contact Teresa Berntsen, Liquor Control Board Rules Coordinator, at 360-664-1648 or by e-mail at [rules@liq.wa.gov](mailto:rules@liq.wa.gov).

## Liquor and Tobacco Compliance Rates for January 2002

### LIQUOR:

- Compliance checks were conducted at **176** liquor licensed locations in January 2002.
- A total of **41** businesses sold liquor to underage operatives.
- The percent of liquor noncompliance for January 2002 was **23.3%**.
- The yearly average of liquor noncompliance from February 2001 through January 2002 is **17.46%**.

### TOBACCO:

- Compliance checks were conducted at **203** tobacco licensed locations in January 2002.
- A total of **20** businesses sold tobacco to underage operatives.
- The percent of tobacco noncompliance for January 2002 is **9.86%**.
- The yearly average of tobacco noncompliance from February 2001 through January 2002 is **14.75%**.

## Frequently Asked Questions

**Question: Who can I contact if I need signs for my business regarding the sale of alcohol or tobacco?**

**Answer:** Contact any local enforcement office or call the Liquor Control Board Headquarters in Olympia at (360) 664-1780 for any tobacco or alcohol signs.

**Question: What duties can employees under twenty-one perform?**

**Answer:**

	<b>Duties 18, 19, and 20 years old employees may perform</b> (as long as someone at least twenty-one is on duty supervising)	<b>Employees have to be at least 21 to:</b>
In a grocery store or beer/wine specialty shop:	<ul style="list-style-type: none"><li>• Sell, stock, and handle beer and wine.</li><li>• Deliver beer and wine to a customer's car with the customer (no minimum age requirement).</li></ul>	Supervise employees who sell, stock, or handle beer and/or wine.
In a business that sells liquor for on-premises consumption (such as restaurants):	<ul style="list-style-type: none"><li>• Take orders for, serve, and sell liquor in areas classified as open to persons under twenty-one years of age.</li><li>• Enter a lounge to perform duties such as picking up liquor for service in the dining room, setting tables, and seating patrons.</li></ul>	Perform functions of a bartender, including: <ul style="list-style-type: none"><li>• Mixing drinks.</li><li>• Drawing beer or wine from a tap.</li><li>• Pouring beer or wine anywhere except at the patrons table.</li></ul>

## **LCB Chair Appointed**

On February 21, 2002, Governor Locke permanently appointed Merritt D. Long as the Chair of the Liquor Control Board. Mr. Long was appointed Acting Chair in July 2001.

Mr. Long served as Director of the Washington State Lottery Commission from January 1997 until he retired in January 2001. He also worked as Director of the state Human Rights Commission from 1993 to 1997. In addition, the new Chair also served for seven years as Executive Director of the State Board for Vocational Education. In all, Mr. Long has worked more than 25 years in state government management positions

This appointment will provide the agency with continuity in its leadership and direction. Mr. Long's term will expire January 15, 2005.



**Washington State  
Liquor Control Board  
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